

Application Serial No. 09/344,863

REMARKS

Claim 5 has been cancelled. Claims 11, 26 and 27 have been amended by replacing "propene monomer" with --propenes-. Entry of the amendments is respectfully requested.

Review and reconsideration on the merits are requested.

Claims 11, 26 and 27 have been objected to for informalities. In response, Applicants have amended the claim as set forth above, by replacing the term "ethylene diene propene monomer" with --ethylene diene propenes-- to read consistent with the other polymers listed. In view of the amendments, Applicants request withdrawal of the objection.

Claim 5 has been objected to for not including a repeating unit. Applicants submit that cancellation of claim 5 has rendered the objection moot.

Claims 4-12, 14-15, and 24-27 have been rejected under the judicially created doctrine of obviousness-type double patenting over claims 1, 4-16 and 20-21 of U.S. Patent 6,498,918 to Schlueter, Jr., et al. In response, Applicants traverse the rejection. However, in order to advance prosecution of this long-pending case, Applicants enclose herewith a duly executed Terminal Disclaimer over the relevant claims of U.S. Patent 6,498,918. In view of the submission of the Terminal Disclaimer, Applicants request withdrawal of the rejection under the judicially created doctrine of obviousness-type double patenting.

In view of the above arguments and amendments, Applicants submit that all claims should now be in condition for allowance. Early indication of allowability is respectfully requested.

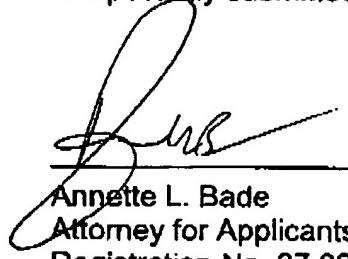
No additional fee is believed to be required for this amendment. However, the undersigned Xerox Corporation Attorney hereby authorizes the charging of any necessary fees, other than the issue fee, to Xerox Corporation Deposit Account No. 24-0025. This also constitutes a request for any needed extension of time and

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authorization to charge all fees therefor to Xerox Corporation Deposit Account No. 24-0025.

In the event the Examiner considers personal contact advantageous to the disposition of this case, s/he is hereby authorized to call Applicant's Attorney, Annette L. Bade, at telephone number (310) 333-3682, El Segundo, California.

Respectfully submitted,



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